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**Date:** 10/22/2004 8:10:55 AM  
**Subject:** Mine Plan Determination - Deer Creek

Attached is OSM's final decision regarding the need for a Mining Plan Modification for the above subject. A signed copy will be sent to you in today's mail.

In accordance with the Federal regulations under 30 CFR 740.13(d), other Federal agencies that may have an interest in, or jurisdiction over, the above subject operation have also been notified of OSM's decision electronically.

No responses to this transmittal are necessary.

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**CC:** "Mitchell Rollings" <MROLLING@osmre.gov>, "Ranvir Singh" <RSINGH@osmre.gov>

October 22, 2004

Mary Ann Wright, Associate Director, Mining  
Utah Division of Oil, Gas, and Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: PacifiCorp "Deer Creek" Mine – Revised application for Permit Change C0150018, North  
Rilda Facilities Area

Dear Mary Ann:

This is in response to Sheila Morrison's request of 9/21/2004 for OSM's determination whether or not the above revised permit change constitutes a Mining Plan Modification.

Please be advised that for reasons stated in my letter dated March 10, 2004, the above subject permit change continues to meet the criteria of 30 CFR 746.18(d) and will require a modification of the existing mining plan. According to the decision conveyed in my above referenced letter, the ongoing work to prepare an environmental assessment needs to continue.

Sincerely,

Peter Rutledge  
Chief Program Support Division

cc: Alice Carlton, Forest Supervisor  
Manti-La Sal National Forest

Kent Hoffman, Deputy State Director  
Bureau of Land Management, State Office

Chuck Samborski  
Barry Burkhardt